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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 DIONIZIY KORNUA,

8 Plaintiff,

9 v.

10 DOUG LANE, in his official and individual
11 capacity,

12 Defendant.

Case No. C07-5393 FDB

ORDER OF DISMISSAL FOR
FAILURE TO PROSECUTE


13 This matter comes before the Court on the directive of the Court to show cause why this case
14 should not be dismissed for failure to prosecute.

15 On October 14, 2008, this Court entered an Order on Motion to Withdraw as Counsel. That
16 Order, in addition to permitting counsel to withdraw, provided that no later than October 31, 2008,
17 Plaintiff was to employ new counsel or advise this Court that he intends to proceed pro se or to
18 abandon this action. Plaintiff failed to respond to the Court's directive.

19 On November 13, 2008 this Court ordered Plaintiff to show cause no later than November
20 26, 2008 why this matter should not be dismissed for failure to prosecute. The consequence of
21 failing to respond was to dismissal of this action. As of this date, Plaintiff has failed to respond.

22 Accordingly, pursuant to Fed. R. Civ. P. 41(2)(b), this action is **DISMISSED**, for failure to
23 prosecute.

24 DATED this 8th day of December, 2008.

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FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE